

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
NO. 04 CV 11522 (JLT)

STEVEN R. KINCAID,

Plaintiff,

vs.

BANK OF AMERICA CORPORATION,

Defendant.

MOTION TO ADMIT RICHARD F. KANE *PRO HAC VICE*
AS CO-COUNSEL FOR DEFENDANT BANK OF AMERICA CORPORATION

Pursuant to Local Rule 85.5.3, George P. Kostakos, counsel of record for Defendant Bank of America Corporation, moves that the Court grant attorney Richard F. Kane, a partner of the law firm McGuire Woods LLP, resident in its office located at 100 North Tryon Street, Suite 2900, Charlotte, NC 28202-4011, leave to practice in this Court for the purposes of this case. In support of this Motion, George P. Kostakos states:

1. I am a member of good standing of the Bars of the Commonwealth of Massachusetts, the State of Georgia, the State of Rhode Island, the State of New York, the United States District Court for the District of Massachusetts, the United States District Court for the Northern District of Georgia, the United States District Court for the Northern District of New York, the United States District Court for the Southern District of New York and the United States District Court for the Eastern District of New York. Pursuant to Local Rule 83.5.2(a), I have filed my notice of appearance in this case.

2. The Certificates of Mr. Kane, attesting that: (1) he is a member of the bar in good standing in every jurisdiction where they have been admitted to practice; (2) there are no disciplinary proceedings pending against him as a member of the bar in any jurisdiction; and

(3) he has been provided and are familiar with the Local Rules of the United States District Court for the District of Massachusetts, is filed herewith.

WHEREFORE, George P. Kostakos requests that this Court allow attorney Richard F. Kane leave to appear in this action *pro hac vice* as co-counsel for the defendant Bank of America Corporation.

/s/George P. Kostakos
George P. Kostakos (Bar No. 557919)
Edwards & Angell, LLP
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Providence, RI 02903
Phone: 404.528.5864
Fax: 401.276.6611

**Attorneys for Defendant
Bank of America Corporation**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing "Motion to Admit Richard F. Kane Pro Hac Vice as Co-Counsel for Bank of America Corporation" has been served via electronic mailing to:

John B. Harkavy, Esq.
Bernkopf Goodman LLP
125 Summer Street, Suite 1300
Boston, Massachusetts 02110

The undersigned hereby certifies that a copy of the foregoing " Motion to Admit Richard F. Kane Pro Hac Vice as Co-Counsel for Bank of America Corporation " has been served via first class-mail, postage pre-paid to:

Deborah Martin Norcross, Esq.
60 Marion Road West
Princeton, New Jersey 08540

This the 15th day of March, 2005.

/s/ George P. Kostakos
George P. Kostakos